

Washington State CONSTRUCTION ADVISORY COMMITTEE (CAC)

Meeting Report

April 21, 2011

AGC of Western Washington Fife Office

The mission of the Washington State Construction Advisory Committee is to provide a forum where business, labor, and government identify challenges and develop solutions to Washington's construction workplace health and safety challenges.

Committee Leadership Present:

Anne Soiza, Deputy Assistant Director, DOSH;

Herb Heinold, Construction Safety Consultant;

Eric Smith, Executive Director, Build it Smart represented Terry Tilton, Assistant Executive Secretary, Washington State Building and Construction Trades Council

DOSH Update: *Anne Soiza and Maggie Leland*

- Legislature is now in special session and is focused on Workers' Compensation and the state budget. Two bills that passed this year affect worker safety and health. The first bill that passed legislation is Senate Bill 5594 - *AN ACT Relating to handling of hazardous drugs*. This bill offers protection for healthcare workers from hazardous drugs such as chemotherapy treatment drugs and requires that The National Institute for Occupational Safety and Health (NIOSH) guidelines be adopted as rules. The second bill that passed is Senate Bill 5068 - *AN ACT Relating to the abatement of violations of the Washington industrial safety and health act during an appeal*. If the employer appeals a serious violation, they will have to now correct the hazards that are related to the serious violation even during the appeal process. It gives employers the right to file a request for a stay at two levels during the appeals process if they do not want to abate a violation. Both of these laws require the department to initiate a stakeholder process in the necessary rulemaking to implement these provisions starting in 2011.
- Updated information on Washington claims in the construction industry was provided with an excerpt from the head of OSHA on the top four reasons for construction workers deaths, serious illnesses for construction workers death, and rate data. DOSH provided data from 2006-2010 claims in construction and fatalities. See attached.
- Construction Safety Day is May 4, 2011 in Enumclaw. We need to push for a higher attendance at the conference. Registration for the conference is \$55.00 and includes lunch; \$65.00 includes lunch and CPR training. Construction Safety day is open to anyone who would like to attend.

SHARP Update: *Barbara Silverstein*

- SHARP has started a study of musculoskeletal disorders in all industry sectors. This project looks at high, same size, and same industry types that have high claims rates versus the same types of industries that have low claims rates, comparing why there are differences between them. SHARP will provide more information as the project continues.

AGC Update: *Mandi Kime*

- The Planning Process Committee for Construction Safety Day is underway and is open to anyone who is interested. If you would like to volunteer please contact Mandi Kime.

Rules Update: *Dan McMurdie*

- DOSH has a list published on their web of companies that are certified for construction cranes. Do we know that these businesses are licensed and bonded?
 - The state only verifies that the companies have passed the certification for licenses for operation construction cranes. Information from Labor and Industries should be more specific.
 - DOSH will look into the process of maintaining the list, disclaimer issues, integrity, updating the list, and when we pull a company's credentials how fast we take them off the certification list.
- Fall Protection Committee has not received an answer yet on creating a committee to move the rule forward because of the moratorium on rule making. Letters for support of the fall protection rule or any other initiatives should be submitted to Michael Silverstein from any business or labor group that supports moving any initiative forward during the moratorium. Michael will then submit the letters to the Governor.
 - To move forward with the Fall Protection Rule, AGC, business, or labor would need to write letters of support to move forward with the rule and submit the letters to Michael Silverstein. Herb Heinhold and Terry Tilton will submit a letter of support to Michael Silverstein along with fall protection data.
- DOSH has information on their website for anyone who has questions on construction cranes equipment. You can submit pictures or questions to [Larry Markee](mailto:Larry.Markee@lni.wa.gov), Cranes Technical Specialist (mala235@lni.wa.gov) and he will post his response along with the pictures.
- Public hearing dates for the Construction Crane rule will be in late summer. The economic impact statement is being completed. DOSH has completed all the stakeholder meetings and the Department is finalizing the work that needs to be completed on the proposal based off of the stakeholder meetings.
- OSHA has issued a small compliance guide on federal standards for cranes and derricks. It addresses employer responsibilities relative to the Federal rule and goes into 10 different ways that OSHA will look to incorporate those scenarios with regards to enforcement.

Group Discussion:

- Would we like to change the meeting to a 3 hour meeting? The committee is currently scheduling 2 hour meetings.
 - Full agreement for a 3 hour meeting, starting at 9:00 am.
- Suggestion for teleconference.
 - We are able to host calls from some of the locations where the meeting is scheduled, but we are not able to host web conferences at this time.
- Next meeting dates are:
 - July 21 9:00am- Noon at Labor and Industries, Tumwater;
 - September 27, 2011 at the Tacoma Convention Center 1:00-4:00PM;
 - November 17, 2011 9:00am- Noon at AGC in Seattle.
- Election of chairs: Would the committee like to have an election of chairs? Every three to five years or do an election right away?
- Suggestion to have all construction related WRD's come to the CAC before they are published.
 - Several approaches were discussed
- Discussed conduct of DOSH inspectors with entering a worksite and following procedures.
 - Any issues with inspectors entering a worksite without checking in, DOSH requests that employers contact the compliance manager or supervisor in the region, Dave Puente or Anne Soiza.
 - Forming a subcommittee to advise DOSH on targeting inspections.
- Discussed inviting Labor and Industries Fraud division to the CAC to update what we are doing to detect fraud.
 - DOSH will arrange.

Inviting

Construction Advisory Committee listserv: Reminder to sign up on our Website to receive updates and information for the Construction Advisory Committee meetings.

Adjourn

Action Items –

Herb Heinhold	Draft letter to Michael Silverstein with fall protection data
Teri Tilton	
Anne Soiza	Report back on maintaining Crane information on DOSH website

Next CAC Meeting:

Date: July 21, 2011

Location: Labor and Industries, Tumwater

Room: S117

Time: 9:00AM to Noon